

I, Harold Stennett WILLIAMS of Army Headquarters

MELBOURNE make oath and say:

1. I am an Officer of the Australian Military Forces.
2. Annexed hereto and marked "D" is a true copy of a transcript of evidence sworn by Mr. Ruben FOILLAGE on 15 Dec 1945 which I have in my custody in the course of my duties.
3. The original sworn transcript of evidence cannot be made available immediately as it is required for trials of minor war criminals.

/s/ Harold Stennett Williams VX89003

.....
Major

SWORN BEFORE ME AT MELBOURNE
THIS Ninth Day OF May 1946.

/s/

Peckham O. E. Chapple

.....Capt

An Officer of the
Australian Military Forces.

SECRET

For the WAR CRIMES OFFICE
Judge Advocate General's Office — Navy Department
United States of America

File No.
1410

In the matter of the whipping and mistreatment of Mr. Ruben Foilape, Mrs. Maria Foilape, Mr. Rudolph Harris, Mr. Albert Harris, Mr. Julius Capelle, Albert Capelle, Mr. Diena, Nauruans, Mr. Karl Hartman, Mr. Willie Hartman, Mr. Emanuel Hartman, Mr. Kerton Trukese, and Father Olivaz (Swiss), Father Keyser (French), since deceased.

Perpetuation of Testimony
of Mr. Ruben Foilape,
Nauruan, Tol Island, Truk.

Taken at: Fouba Village, Tol Island, Truk.

Date: December 8, 1945.

In the presence of: Thomas Santamaria, first lieutenant, 032989,
U. S. M. C. R., Base Headquarters Company,
(Provisional), Island Command, Truk.

Reporter: George C. Lishka, corporal, 879071, U. S. M. C. R.,
Base Headquarters Company, (Provisional),
Island Command, Truk.

Questioned by: Thomas Santamaria, first lieutenant, 032989,
U. S. M. C. R.

Q. State your name, permanent home address and occupation.

A. Mr. Ruben Foilape, Nauru, wireless operator. I arrived on Truk on August 23, 1943, and have lived on the islands of Param, Tarik, Dublon and Fefan.

Q. What is your war time status?

A. I am a displaced civilian.

Q. In what localities were you employed mostly by the Japanese?

A. On the construction of the air field at Param.

Q. Did you witness any atrocities or mistreatment of any allied subjects at any time?

A. Yes.

Q. State what you know of your own knowledge about that incident.

A. At 7.00 a. m., August 28, 1944, I was employed on the air field at Param. I was informed by Mr. Alexis Sawyer, a Nauruan interpreter for the Japanese, that the Japanese Labor Police wanted to see me. I reported to him as ordered and he notified me that I was being taken to Tarik. The name of the police officer was Soji. He forced me to enter a small boat. The passengers of the boat were Soji, the policeman, and Mr. Alexis Sawyer; Mr. Mekanin and Mr. Agotsi T. S., Nauruans, who were to row the boat from Param to Tarik.

Upon arrival at Tarik we were met by a member of the Army military police, Corporal Sakamoto, and we were all escorted to the place where they were holding residents of Tarik. The names of the persons detained were, my wife Mrs. Maria Foilape, Mr. Rudolph Harris, Mr. Albert Harris, Mr. Julius Capello, Father Kayser, Father Olivaz, Mr. and Mrs. Karl Hartman and their two sons Emanuel and Willie Hartman, and two of their daughters, Miko and Teresita and several of his grandchildren. As I approached I saw that the Japanese were whipping some of these persons. I noticed my wife and Mr. Karl Hartman had their hands tied behind their back and were being whipped with a stick about four feet long and two inches in diameter across their buttocks and their calves. I was asked my name and if I was a wireloss operator, to which I answered yes. They enquired as to whether or not I owned a radio set. I replied in the negative. They tied my hands behind my back and punched me on both sides of my face and then they removed their belts and used them on my face. Then another Japanese started to strike me across my back with a stick about four feet long and two inches in diameter. They then untied my hands, led me to a coconut tree, tied my hands above my head and then hung me from my hands to that tree so that my feet were about three inches from the ground. I was kept in this position for about five minutes and at the same time they hit me on the shins with a stick. I was then untied and forced to kneel and informed that I was to be killed. My hands were now tied behind my back and I was informed that if I admitted having a radio they would not kill me. They asked me if I wanted to die. I told them I didn't care. Corporal Sakamoto took out his sword, informed me to look at my wife and then asked me if I loved her. I assured him I did. He cautioned me that if I told the truth I would live. I asked him what truth he was searching. He told me to admit that I had a radio set. I tried impressively to assure him that I did not own a radio set. I was directed to rise and he replaced his sword in its sheath, drew his pistol and asked if I knew what it was. Then he told me that he was going to shoot me. I was suffering from their maltreatment so informed him that I didn't care. He replaced his pistol and told the labor policeman to whip me. The labor policeman and the navy policeman started whipping me with a stick across my back, buttocks, legs, down to my ankles. They whipped me until I passed into a state of unconsciousness. They then poured water over my face and body until I was revived and told to take a rest. While I was resting they began to whip my wife, Mr. Albert Harris, Mr. Rudolph Harris, Father Kayser, Father Olivaz, Mr. Julius Capello, and Mr. Karl Hartman. All my friends had their hands behind their back and they were placed in a large circle. The Navy policeman, four labor policeman, two of whose names are Soji, and Corporal Sakamoto, were administering the punishment. They kept this up for about three hours. At intervals they would rest and ask questions and then continue with the punishment. Finally the women and the priests were sent home and the rest of us they took to the wharf. We were forced to remain there under guard while they went to lunch. About a half hour later they returned and we were all sent home. About 9:00 a. m. the following day Mr. Alexis Sawyer was sent by Corporal Sakamoto to notify me, Mr. Albert Harris, Mr. Rudolph Harris, Father Kayser, Father Olivaz, Mr. Julius Capello, his son Albert, Mr. Diema, Mr. Karl Hartman, his two sons Emanuel and Willie, and Mr. Kerten to meet at the wharf. All the persons mentioned except Mr. Albert Harris were transported to Dublon. During the trip everyone had his hands tied behind his back. Upon arrival at Dublon we were all placed in jail. Mr. Rudolph Harris, Julius Capello and his son Albert, Mr. Karl Hartman and his two sons, and Mr. Diema were all released after the third day.

On the fifth day, the eighth day and the fifteenth day they questioned me and after the questioning returned me to my cell. On the fifteenth day Father Kayser, Father Olivaz, Mr. Kerten and I were allowed to return home. 39 days after Father Kayser, 67 years old, was released he passed away.

- Q. Was there any officer around while this was taking place?
A. No.
- Q. Do you know the name of the officer in command of any troops on Tarik at that time?
A. Miaka, his rank was either lieutenant or captain.
- Q. Will you give me the names of all Japanese who helped punish the persons you have mentioned?
A. Corporal Sakamoto, army military police, two members of the labor police who had the same name, Soji.
- Q. Were other men used to administer punishment?
A. Yes.
- Q. Who?
A. One Navy policeman, two more labor policemen, and several soldiers.
- Q. Can you describe any of these persons?
A. No.
- Q. Can you recognize them if you saw them?
A. Yes.
- Q. How much food did you get while in prison?
A. Three meals a day.
- Q. How much did you get at each meal?
A. Rice, cooked and rolled into the size of a duck egg, and all the water we wanted.
- Q. Was this given every day while confined?
A. Yes.
- Q. Was any other food given?
A. No.
- Q. Did you know Father Kayser very well?
A. Yes.
- Q. Was he in good health when he was confined?
A. Yes.
- Q. Did you have enough to eat?
A. No.
- Q. Were you always hungry while in jail?
A. Yes.
- Q. Did you lose much weight while in jail?
A. Yes.
- Q. If you had been as old as Father Kayser would you have suffered more than you did?
A. It would have killed me.
- Q. Do you think that the punishment Father Kayser received was the cause of his death?
A. Yes.
- Q. How long after his release from jail did he die?
A. 39 days.
- Q. Were you sick after being released from jail.
A. Yes.

- Q. What did you have?
A. Pneumonia.
- Q. Do you believe the treatment given you by the Japanese caused your sickness?
A. Yes, sir.
- Q. How many days after being released by the Japanese was it before you became sick?
A. Two days.
- Q. How long were you sick?
A. One Month.
- Q. Why were the Japanese treating you and your friends as they did?
A. Father Clivaz and Father Keyser were accused of being American spies. I was accused of having a radio, the rest of either having concealed weapons or collaborating with the Americans.

(sgd) RUBEN FOILAPE
Mr. Ruben Foilape,
Tol Island, Truk.

Tol Island

Truk and Central Carolines

I, Mr. Ruben Foilape, of lawful age, being duly sworn on oath state that I have read the foregoing transcription of my interrogation and all answers contained therein are true to the best of my knowledge and belief.

(sgd) RUBEN FOILAPE
Mr. Ruben Foilape

Subscribed and sworn to before me this 15 day of December 1945.

(sgd) T. SANTAMARIA
T. SANTAMARIA
1st Lt., USMCR.,
Local Officer.

SECRET

I, T. Santamaria, first lieutenant, 032989, U. S. M. C. R., certify that on December 8, 1945, personally appeared before me Mr. Ruben Foilape, and gave the foregoing answers to the several questions set forth; that after his testimony had been transcribed, the said Mr. Ruben Foilape read the same and affixed his signature thereto in my presence.

Place: Fouba Village, Tol Island
Truk and Central Carolines

Date: December 15, 1945

(sgd) T. SANTAMARIA

T. SANTAMARIA,
1st Lt. USMCR.,
Island Command, Truk.

Fingerprint of
Mr. Ruben Foilape
Witness.

第一頁

①

問 君、姓名、住所及び職業ヲ言フ下サ。

答 我ハ「バラム・アイランド」デ、「ナウル」人デ、無線電信手デス。
我ハ昭和十八年（一九四三）八月二十三日ニ「トリック」島ニ到着
シテ、「バラム」「トリック」「ダブロン」及ビ「エフアム」島々ニ住ン
デ居マシタ。

答 一九四四年八月二十八日午前七時ニ我ハ「バラム」島ノ飛行場
ニ勤務ニ居マシタ。我ハ日本人ニ雇ハレテ居タ「ナウル」人
通訳「アレキス・ソーヤー」氏カラ、日本勤務警察官が我
ニ面會ニタイト云ツテキルト知ラセガアッタ。我ハ命令通
リ彼ノ所ニ行キマシタ處、我ハ「トリック」島ニ連シテ行カ
ル旨言ヒ渡サレマシタ。ソノ警察官ノ名前ハ「ソート」
デシタ。我ヲ無理ニ小サイ舟ニ乗セマシタ。ソノ小舟ノ乗客
ハ巡査「ソート」、「アレキス・ソーヤー」氏ト、「バラム」カ
「トリック」エドノ舟ヲ漕グタメノ「ナウル」人「マカニ」氏ト「S.
アゴゴワイ」氏デシタ。

第二頁

「トリック」ニ到着シタ處、我達ヲ陸軍憲兵隊ノ員及
本伍長ガ待ツテキタ。ソレカラ我達一同ハ「トリック」ノ住民
ヲ收容ニセナル場所ニ連シテ行カレタ。抑留サレテキタ
タノ姓名ハ、我ノ妻「マリヤ・アイランド」ルヤドル・ハリス
氏「アルバート・ハリス」氏「ジョリアスカベル」氏「グイサー」神父

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No. 2

「グリヴァズ」神父「カアル・ハートマン」夫妻及「ソノ息子二人」
 「エマエルト」ウサリ「ハートマン」ソノカラソノ娘二人「ミオ
 コト」デシタ。並ニソノ孫達デアツタ。私ハ近ヅイタ時ニ日
 本人ガコソラノ人々ノ中ノ幾人カラ鞭打ツテ中ルノヲ見タ。
 私ノ妻ト「カアル・ハートマン」氏ガ後手ニ縛バラシテ長サ四
 呎直徑ニ吋位ノ棒デ、尻ト腓ヲ打タレテ中ルノヲ見タ。
 私ハ私ノ名前ト私が無線電信手ニナルカラ尋ネテシ
 タノデ、左様ヲスト答ヘタ。彼等ハ私ニ「フデオ」機具ヲ持
 ツテ中ルカラ否カラ質問シタ。私ハ否定ノ答ヲシタ。彼等
 ハ私ヲ後手ニ縛ツテ、私ノ両横面ニ拳固ヲ喰ハシテカラ。
 彼ラハ自分達ノ革帶ヲ解イテ、ソレデ私ノ顔ヲ打ツタ。
 ソノカラモ人ノ日本人ガ長サ四呎直徑ニ吋位ノ棒ヲ私
 ノ背ヲ横ニ叩キ始メタ。ソノカラ彼ラハ私ノ手ヲ解
 イテ、私ヲ椰子木ノ所ニ連シテ行キ、ソノ木ニ私ノ手ヲ
 頭部ヨリ高ク縛ツテ、私ノ手デ私ヲ「フデ」ゲタノデ私
 ノ足ハ約三吋位地上ニアツタ。私ハ約五分間位、地位
 ニオカレ、同時ニ彼ラハ棒デ私ノ向脛ヲ打ツタ。
 ソノカラ私ヲ解イテ、私ヲ無理ニ腕マツカセテ、私ハ殺
 サレルノダト云ツタ。今ヤ私ハ後手ニ縛バラシテ、私ガ「フ
 デオ」ヲ持ツテ中ルフトヲ認メルナラ、彼ラハ私ヲ殺サ
 ヌト云ツタ。彼等ハ私ニ「死ニタイカト」問フタノデ、私ハ
 構ハヌト答ヘタ。坂本伍長ハ軍刀ヲ抜キ出シテ、私
 ニ私ノ妻ヲ見ヨト云ヒ、ソノカラ私ニ彼女ヲ愛スルカ
 ト尋ネタ。私ハ愛シテ中ルト答ヘタ。彼ハ私ニ私が

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眞実ヲ云ツタフ命に助カルト注意シタ。私に彼が彼ニ
求メテナル眞実トは何デアルカト尋ネタ。彼に私が二ダオ
一組ヲ持ツテナルト云フコトヲ認メルコトダト云ツタ。

私に洩シテ私が二ダオ機械ヲ所有シテ居ラヌコト
ヲ印象深ク彼ニ判ラセヨウト試ミタ。私に立上ルヤ
ウニ命ゼラレタ。ソシテ彼に軍刀ヲ鞘ニ納メテピスト
ルヲ取リ出シテ私ニソシガ何デアルカ知ツテナルカト尋
ネタ。ソシカラ彼に私ヲ射殺スルゾト云ツタ。

私に彼等ノ虐待ヲ苦シムナルノデ。私に構ハヌト彼
ニ告ゲタ。彼にピストルヲモトノ所ニモトシ、勤勞
警察官ニ私ヲ鞭打テト云ツタ。

勤勞巡査ト海軍巡査ハ棒ヲ私ノ背ヤ尻ヤ
足ヤ下ツテ足首ヲ鞭打テ始メタ。

彼ラハ私が無意識ノ状態ニナルヲ私ヲ鞭打
ツタ。ソシカラ彼ニハ私が恢復スルヲ私ノ顔ト身
体ニ水ヲ浴セ掛ケタ。

ソシカラ私ニ休メト云ツタ。私が休養シテ数日間、彼
ラハ私ノ妻「アルバート・ハリス氏」「ルウドルフ・ハリス
氏」「ゲイサー」神父「クリヴアツズ」神父「ジュリアス・
カペル氏」及ビ「カアル・ハートマン」氏ヲ鞭打テ
始メタ。

凡テ、私ノ友人達ハ後手ニ縛バラシテ大圓形ニ
置カレタタ。二人、海軍巡査、四人、勤勞巡査、ソノ
中ノ二人、名前ハ「ソオジ」ト坂本伍長デ

No. 3

彼等の改打ヲシテキル。彼等ハ約三時間位續ケル。合間ニ彼等ハ休息シテ訊問シシカラ又刑罰ヲ續ケル。テシテ最後ニ婦人ト僧侶ハ家ニ帰ル。残リ、私達ハ改止場ニ連レテ行カス。彼等ハ晝食ニ行フ。間私達ハ見張ヲ付ケテソコニ残サレタ。約半時間、後彼等ハ歸リテ来テ、私達ハ全部家ニ戻サレタ。初日、午前九時頃、アレキス、ソヤ、ハ坂本伍長カラ、使ヒトシテ、私、アルバート、ハリス氏、ルドルフ、ハリス氏、ケサ「神父、クリウ、アス」神又「シユアスカル氏、彼、息子、アルバー、ヤ、ダ」イ、氏、カ、ハ、アトマ、氏、彼、二人ノ息子、エマ、ト、ウ、ヤ、リ、及ヒ「カ、ア、レ、氏、改止場ニ集合スルヤウニ通告シテ来タ。アルバート、ハリス氏ヲ除キ前記ノ凡テ人々ハ、カ、ア、ロ、ニ輸送セラル。コノ旅行中凡テ人々ハ後手ニ縛レテキタ。カ、ア、ロ、ニ到着シタ時私達ハ全部監獄ニ入レタ。ルドルフ、ハリス氏、ジュリアス、カ、ル、及ヒソノ息子、アルバート、カ、ル、ハ、アトマ、氏、及ヒソノ二人ノ息子、並ビ「グアイマ、氏」ハ凡テ三日目、後ニ放免セラレタ。

一第三頁

第五目、第八日目及ビ第十五日目ニ彼等ハ私ヲ訊問シタ。ソシテ訊問ノ後ハ私ハ監房ニ返サレタ。第十五日目ニ「ケ、エ、ア、」神又「クリウ、ア、」神又「カ、ア、レ、氏、並ニ私ハ内ニ帰ルコトヲ許サタ。ニ、ア、ヤ、オ、」カ、ウ、ク、ケ、ア、」神又「放免サレテ三十九日経ツカ、死セタ。

問 監獄ニ居ル間如何程ノ食事ヲセ見マシタカ。

答 一日ニ三度アシタ。

問 一食ニ一日如何程セ見マシタカ。

★ 8/48

答 煮于家鴨，玉子佐，不芥，握飯，角切，水于貫之。

問 監禁や下居の間毎日どう生活するの。

答 不在属于。

問 何外 = 食事 + 500000。

$\frac{1}{2} \pi$ 是 $\sin x$ 的初相。

問 君「天下」神又「良」知「善」言「之」。

答 不知本年之月。

問 彼の監禁中何時健康でゐたか。

答 否。不成立。

問 表は下の食生活、食生活の改善。

$$\frac{1}{2} \times 10 \times 10 = 50 \text{ m}^2$$

問 君監獄二年間常に定腹デシタカ。

答 父、母、子、女、

1 英里 1 英里

問 君に監獄ニ半日間ハトク體重ヲ失ヒタルカ。

答: 1. 温度 20°C

問 若し君の「イサ」し、神又佐、手替ふに、君の受たり苦惱する
 こと多ク、若し「イサ」し、思ふに、之の。

答　「シタラ私に死、予本にる。

No. 5

問 君は子孫、神又か受て刑罰か、死亡、皇國に於てと思ふか。

~~2/10~~ 14. 10/10/20

問 監獄を脱走した方何日経たず彼に死が、下つた。

答 二十七日。

問、君に血痕多放免せしむの病多ありやと云ふ。

No. 6

8/48★

問

答

問

答

問

答

問

答

問

答

問

答

ハ、ナリテモ。

ト、ナリ病ニテモ。

肺ニテモ。

君ハ日本人カ、ナリ取扱ハ君、病ニテモ、原因ニテモ、信ニテモ。

ハ、ナリテモ。

日本人カ、ナリ放免カ、ナリ病ニテモ、前何日位ニテモ。

二日ニテモ。

何日位病ニテモ。

一月間ニテモ。